

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for June 7, 2006 PLANNING COMMISSION MEETING

PROJECT #: Comp Plan Conformance No. 06006
Change of Zone No. 06034

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items

PROPOSAL: Change of Zone from P Public to R-6 Residential and Declaration of Surplus Property.

LOCATION: Northeast corner of S. 27th Street and Old Cheney Road

LAND AREA: 2.37 acres

CONCLUSION:

The property is currently being subdivided into its own lot separate from the fire station to allow it to be sold. Originally acquired as a library site, it is no longer needed for that purpose since the Walt Branch was built. The site is of no use to any city department and should be sold and put to appropriate private use.

RECOMMENDATION:

CPC#06006
CZ#06034

Find in conformance with the Comprehensive Plan
Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION:

A portion of the remaining portion of Lot 69, I.T., located in the SW 1/4 of 7-9-7, City of Lincoln, Lancaster County, Nebraska more particularly described in the attached legal description.

EXISTING LAND USE:

Undeveloped. A fire station occupies the north end of the site which will be retained by the City as currently zoned (P) Public Use.

SURROUNDING LAND USE AND ZONING:

North:	Fire Station/Apartments	P/R-3
South:	Residential	R-3
East:	Apartments	R-3
West:	Office Building	O-3

ASSOCIATED APPLICATIONS:

FPPL#06031 L, P & R Addition to create a new lot that is the subject of this change of zone and surplus property request identified on the plat as Lot 2. (See attached exhibits)

HISTORY & BACKGROUND:

The subject property was acquired a number of years ago as the proposed site for a fire station and branch library. Fire Station #4 has since been constructed in the northwest corner of the property. The planned branch library was proposed to be located on the portion of the site now being requested for this change of zone and surplus property, however it was determined that this site was too small and Walt Branch Library was constructed at its current location in Densmore Park in 2002. At that point this site was transferred to the Parks and Recreation Department in exchange for the Densmore Park land.

The Comprehensive Plan states that a neighborhood park be provided for every one square mile of residential development. This goal is satisfied considering that Tierra Park is located in the neighborhood north of this site and that Williamsburg and Larson Parks are also located nearby. Therefore, Parks and Recreation Department and the Parks and Recreation Advisory Board requests that this property be declared surplus as there is not need for additional parkland in the vicinity.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Future Land Use Plan designates this property as Public and Semi-Public uses.

- F-27** Urban Residential: Multi-family and single-family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre.
- F-17** Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.
- F-18** Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood.
- F-19** "Transit Corridors", oriented to transit stops, when properly planned and coordinated, can help organize urban development and revitalize existing commercial centers. Transit corridors should be developed by providing transit stops and greater concentrations of commercial and residential uses along corridors, such as particular arterial streets, in order to minimize transit travel times and maximize ridership.

F-136 Neighborhood parks should be sited approximately ½ mile radius in the urban area; neighborhood parks are anticipated to generally be located within the center of each mile section.

TRAFFIC ANALYSIS:

Direct access to this site from both S. 27th Street and Old Cheney Road is strongly discouraged because such access points would be too near the intersection of both roads. Access to this property must be provided at the existing access points of Jameson Street at S. 27th Street and Briar Rosa Drive at Old Cheney Road via public access easements over Pub Court and Warwick Court. A second option for providing access to this property is to add the site to the existing Community Unit Plan (CUP) for the Old Cheney Place apartment complex, thus effectively making the CUP and this property one large site. Such an action could be processed administratively pending approval of this application.

The City is requesting an additional 16' of right-of-way along the north side of Old Cheney Road for additional widening and a possible recreational/bicycle path.

PUBLIC SERVICE:

This change of zone would permit the construction of additional apartment units on this site which would add to the existing stock of apartments in the immediate vicinity. Fire Station #4 is located immediately adjacent. Adequate public services are available.

ANALYSIS:

1. This is a request to find the property at the northeast corner of S. 27th and Old Cheney Road as surplus and a change of zone for said property from P-Public Use to R-6 Residential to permit the sale of city-owned property and the construction of additional apartment units.
2. The (P) Public Use zoning designation is not appropriate if the land will not be used for a governmental entity or for public use. A change of zone to R-6 Residential permits uses and densities that are consistent with the surrounding multi-family uses and densities.
3. The property is approximately 2.37 acres in size and was initially intended to be the site for Walt Branch Library. It was exchanged for a portion of Densmore Park and turned over to Parks and Recreation Department..
4. The Comprehensive Plan states that neighborhood parks should be sited approximately one mile apart or one per square mile. Several neighborhood parks are located within that distance of this site, and due to the site's location at the intersection of two major arterial roads it is not the appropriate location for a neighborhood park.

Change of Zone #06033

S. 27th and Old Cheney Road

5. According to the attached site plan just over one-half of an acre of land is being retained for Fire Station #4.
6. According to the Director of Parks and Recreation other city departments have been consulted regarding their interest in using the site but none have expressed an interest.
7. The Parks and Recreation Advisory Board supports this proposal.
8. Public Works notes that additional sewer must be constructed to provide abutting sewer service to this property.
9. Public Works staff recommend that direct access to S. 27th Street and Old Cheney Road from this site be restricted and that additional right-of-way be retained for a total of 60' east of centerline along S. 27th Street and 76' of right-of-way north of centerline along Old Cheney Road.
10. The associated final plat shows 16' of additional right of way on the north side of Old Cheney Road for a total of 76' of right-of-way north of centerline. A total of 60' of right-of-way east of centerline on S. 27th Street is currently provided.
11. Staff suggests that vehicular access to this property be provided via Pub Court and Warwick Court, both of which are private drives in the adjacent multi-family development. This access can be accomplished either by granting a public access easement over both drives or by folding this property into the existing CUP for the adjacent multi-family development.
12. If the future owner should choose to pursue adding this property to the CUP, such action may be processed administratively pending approval of these requests. Should the future owner choose not to add this area to the CUP, the City may require a public access easement prior to approval of the associated final plat to ensure that access to this property is provided.
13. The L, P & R final plat must be approved before the surplus land may be sold. That plat will not be approved by the Planning Director unless direct access to S. 27th Street and Old Cheney Road is relinquished from the surplus land, adequate right-of-way is dedicated, access through the adjacent CUP is provided, and that Parks and Recreation, Public Works & Utilities, and the Lincoln Fire Department all agree that they are satisfied with the final plat.

Comp Plan Conformance #06009
Change of Zone #06033
S. 27th and Old Cheney Road

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Prepared by:

Joe Rexwinkle Planner
441-6373 (jrexwinkle@lincoln.ne.gov)

DATE: May 25, 2006

APPLICANT: Lynn Johnson
Director of Parks and Recreation Department
City of Lincoln
2740 A Street
Lincoln, NE 68508
(402) 441-8265

OWNER: City of Lincoln
555 S 10th Street
Lincoln, NE 68508

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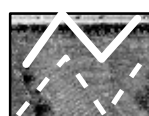
Change of Zone #06034 & Comprehensive Plan Conformance #06006 **S 27th St & Old Cheney Rd**

2005 aerial

Zoning:

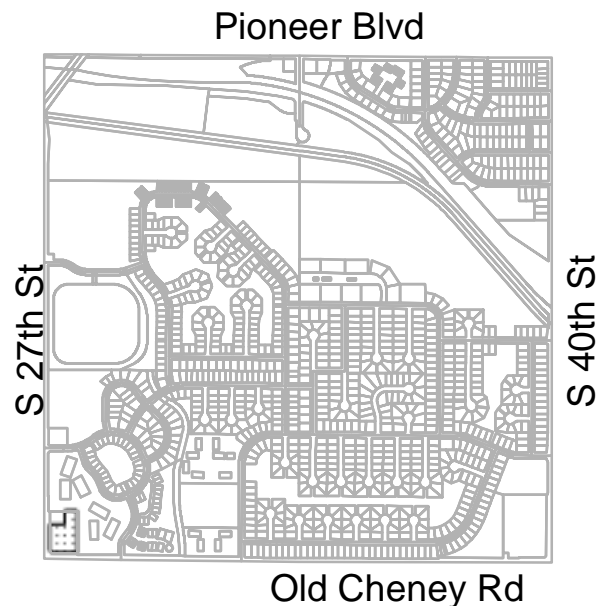
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

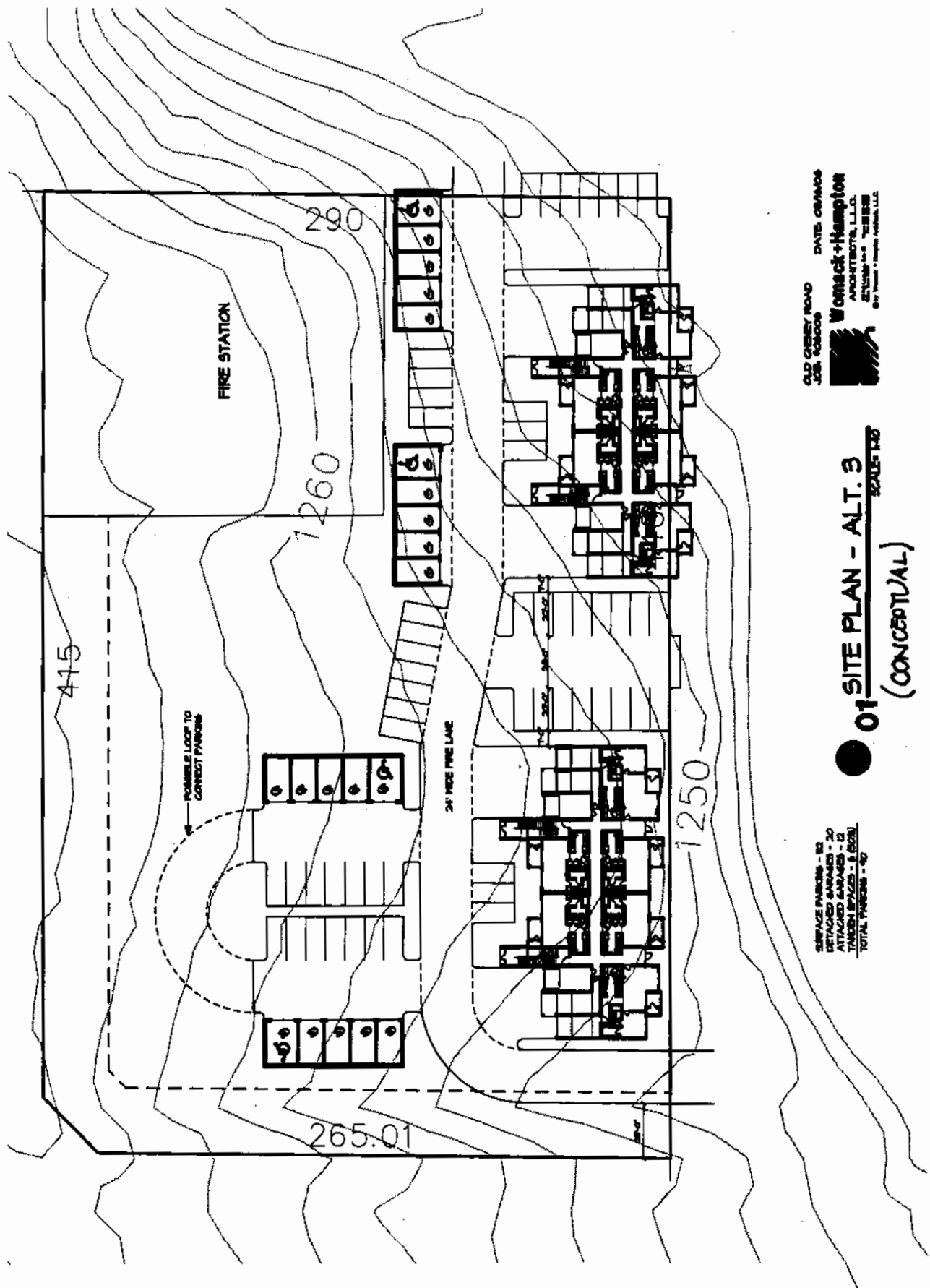
One Square Mile
 Sec. 7 T09N R07E



Zoning Jurisdiction Lines

City Limit Jurisdiction

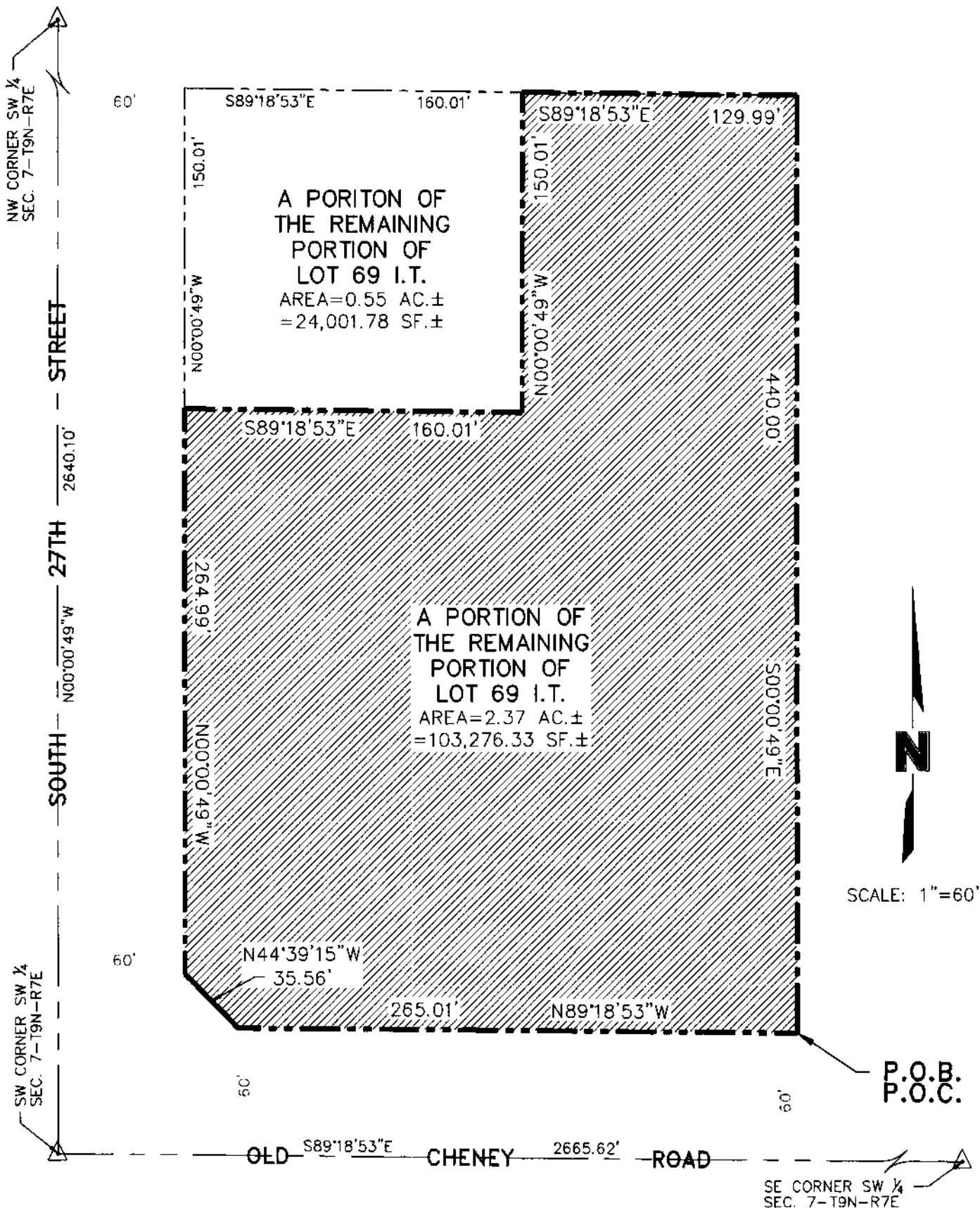




OLD CREEK ROAD
JULY 1980
DATE: 08/08/00
Wonsack + Hampton
ARCHITECTS, L.L.C.
2500 1st St. N. #100
St. Paul, MN 55109
Tel: 612-291-1111
Fax: 612-291-1112

01 SITE PLAN - ALT. 3
(CONCEPTUAL)
2005-108

SURFACE PARKING - 12
DETACHED GARAGES - 20
ATTACHED GARAGES - 12
TOTAL SPACES - 44
TOTAL PARKING - 44



**LEGAL DESCRIPTION
CHANGE OF ZONE**

A LEGAL DESCRIPTION FOR CHANGE OF ZONE PURPOSES FOR A TRACT OF LAND COMPOSED OF A PORTION OF THE REMAINING PORTION OF LOT 69 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, STATE OF NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT LOCATED 60.00 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST QUARTER, SAID POINT BEING ON THE EAST LINE OF SAID LOT 69 I.T., SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE WEST ALONG A LINE LOCATED 60.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER ON AN ASSUMED BEARING OF NORTH 89 DEGREES 18 MINUTES 53 SECONDS WEST, A DISTANCE OF 265.01 FEET TO A POINT, THENCE NORTH 44 DEGREES 39 MINUTES 15 SECONDS WEST, A DISTANCE OF 35.56 FEET TO A POINT LOCATED 60.00 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER, THENCE NORTH 00 DEGREES 00 MINUTES 49 SECONDS WEST ALONG A LINE 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 264.99 FEET TO A POINT, THENCE SOUTH 89 DEGREES 18 MINUTES 53 SECONDS EAST, A DISTANCE OF 160.01 FEET TO A POINT, THENCE NORTH 00 DEGREES 00 MINUTES 49 SECONDS WEST, A DISTANCE OF 150.01 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID REMAINING PORTION OF LOT 69 I.T., THENCE SOUTH 89 DEGREES 18 MINUTES 53 SECONDS EAST ALONG THE NORTH LINE OF SAID REMAINING PORTION OF LOT 69 I.T., A DISTANCE OF 129.99 FEET TO THE NORTHEAST CORNER OF SAID REMAINING PORTION OF LOT 69 I.T., THENCE SOUTH 00 DEGREES 00 MINUTES 49 SECONDS EAST, ALONG THE EAST LINE OF SAID REMAINING PORTION OF LOT 69 I.T., A DISTANCE OF 440.00 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 103,276.33 SQUARE FEET OR 2.37 ACRES, MORE OR LESS.

Wednesday, May 24, 2006
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